

PATENT

Our Docket: P-PM 4966

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Group Art Unit: Not yet assigned
Braun and Sutton)
Serial No.: Not yet assigned) Examiner: Not Yet Assigned
Filed: Herewith) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
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NUCLEIC ACID MOLECULES) DATE OF DEPOSIT: September 27, 2001
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PRELIMINARY AMENDMENT

Entry of the amendments and consideration of the
remarks that follow is respectfully requested.

PRELIMINARY AMENDMENT

In the claims:

Please delete claim 1

Please add the following new claims:

26. An isolated nucleic acid molecule, comprising a
nucleotide portion of SEQ ID NO:1, said nucleotide portion
encoding at least 3 amino acids of SEQ ID NO:2.

27. The isolated nucleic acid molecule of claim 26,
encoding at least 5 amino acids of SEQ ID NO:2.

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28. The isolated nucleic acid molecule of claim 27,
encoding 5 to 50 amino acids of SEQ ID NO:2.

29. The isolated nucleic acid molecule of claim 26,
encoding at least 8 amino acids of SEQ ID NO:2.

30. The isolated nucleic acid molecule of claim 29,
encoding 8 to 50 amino acids of SEQ ID NO:2.

31. The isolated nucleic acid molecule of claim 29,
encoding 8 to 20 amino acids of SEQ ID NO:2.

32. The isolated nucleic acid molecule of claim 26,
encoding at least 10 amino acids of SEQ ID NO:2.

33. The isolated nucleic acid molecule of claim 32,
encoding 10 to 50 amino acids of SEQ ID NO:2.

34. The isolated nucleic acid molecule of claim 32,
encoding 10 to 20 amino acids of SEQ ID NO:2.

35. The isolated nucleic acid molecule of claim 26,
encoding at least 12 amino acids of SEQ ID NO:2.

36. The isolated nucleic acid molecule of claim 35,
encoding 12 to 20 amino acids of SEQ ID NO:2.

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37. The isolated nucleic acid molecule of claim 26, encoding at least 15 amino acids of SEQ ID NO:2.

38. The isolated nucleic acid molecule of claim 37, encoding 15 to 20 amino acids of SEQ ID NO:2.

39. The isolated nucleic acid molecule of claim 26, encoding at least 18 amino acids of SEQ ID NO:2.

40. The isolated nucleic acid molecule of claim 26, encoding at least 20 amino acids of SEQ ID NO:2.

41. The isolated nucleic acid molecule of claim 26, encoding at least 25 amino acids of SEQ ID NO:2.

42. An isolated nucleic acid molecule, comprising a nucleic acid sequence encoding at least 5 amino acids of SEQ ID NO:2.

43. The isolated nucleic acid molecule of claim 42, encoding 5 to 50 amino acids of SEQ ID NO:2.

44. The isolated nucleic acid molecule of claim 42, encoding at least 8 amino acids of SEQ ID NO:2.

45. The isolated nucleic acid molecule of claim 44, encoding 8 to 50 amino acids of SEQ ID NO:2.

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TO: "096609-092701"

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46. The isolated nucleic acid molecule of claim 44,
encoding 8 to 20 amino acids of SEQ ID NO:2.

47. The isolated nucleic acid molecule of claim 42,
encoding at least 10 amino acids of SEQ ID NO:2.

48. The isolated nucleic acid molecule of claim 47,
encoding 10 to 50 amino acids of SEQ ID NO:2.

49. The isolated nucleic acid molecule of claim 47,
encoding 10 to 20 amino acids of SEQ ID NO:2.

50. The isolated nucleic acid molecule of claim 42,
encoding at least 12 amino acids of SEQ ID NO:2.

51. The isolated nucleic acid molecule of claim 50,
encoding 12 to 20 amino acids of SEQ ID NO:2.

52. The isolated nucleic acid molecule of claim 42,
encoding at least 15 amino acids of SEQ ID NO:2.

53. The isolated nucleic acid molecule of claim 52,
encoding 15 to 20 amino acids of SEQ ID NO:2.

54. The isolated nucleic acid molecule of claim 42,
encoding at least 18 amino acids of SEQ ID NO:2.

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55. The isolated nucleic acid molecule of claim 42, encoding at least 20 amino acids of SEQ ID NO:2.

56. The isolated nucleic acid molecule of claim 42, encoding at least 25 amino acids of SEQ ID NO:2.

REMARKS

Claim 1 is pending in the above-identified application. Upon entry of the present amendments, claim 1 will be cancelled and new claims 26 to 56 added. Support for new claims 26 to 56 can be found throughout the specification as set forth below.

New independent claim 26 is directed to an isolated nucleic acid molecule containing a nucleotide portion of SEQ ID NO: 1 that encodes at least three amino acids of SEQ ID NO: 2. Support for new independent claim 26 can be found in the specification, for example, at page 17, lines 2-4, which discloses nucleotide portions of SEQ ID NO: 1 useful, for example, as primers for PCR analysis, and at page 6, line 29, to page 7, line 1, which discloses the I-2 nucleic acid sequence (SEQ ID NO: 1) and predicted amino acid sequence (SEQ ID NO: 2). Additional support for claim 26 can be found in the specification, for example, at page 42, lines 3-15, which discloses recombinant nucleic acid molecules encoding peptide fragments of an I-2 polypeptide, and at page 51, lines 23-26, which discloses the I-2 specific primers SEQ ID NOS: 3 and 4. Support for the recitation that the nucleotide portion encodes at

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least three amino acids of SEQ ID NO: 2 is provided throughout the specification, for example, at page 30, line 30, to page 31, line 2, which teaches that an immunoreactive fragment can have from about three amino acids to the full length of an I-2 polypeptide.

New dependent claims 27, 29, 32, 35, 37, and 39 to 41 are directed to the isolated nucleic acid molecule of claim 26, which encodes at least 5, 8, 10, 12, 15, 18, 20 or 25 amino acids of SEQ ID NO: 2, respectively. These new claims are supported in the specification as described above for claim 26 and further are supported in the specification, for example, at page 31, lines 2-4, which indicates that a fragment of an I-2 polypeptide can have, for example, at least 5, 8, 10, 12, 15, 18, 20 or 25 amino acids. New claims 28, 30, 31, 33, 34, 36 and 38 are directed to an isolated nucleic acid molecule containing a nucleotide portion of SEQ ID NO: 1 that encodes from 5 to 50, from 8 to 50, from 8 to 20, from 10 to 50, from 10 to 20, from 12 to 20 or from 15 to 20 amino acids of SEQ ID NO: 2, respectively. These new claims are supported in the specification as described above for new claim 26 and further are supported in the specification, for example, at page 31, lines 4-11, which indicates that a fragment of an I-2 polypeptide can have, for example, from five to fifty amino acids, from eight to fifty amino acids, from ten to fifty amino acids, from eight to twenty amino acids, from ten to twenty amino acids, from twelve to twenty amino acids or from fifteen to twenty amino acids.

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New independent claim 42 is directed to an isolated nucleic acid molecule containing a nucleic acid sequence encoding at least 5 amino acids of SEQ ID NO:2. Support for new independent claim 42 can be found in the specification, for example, at page 42, lines 3-15, which discloses recombinant nucleic acid molecules encoding peptide fragments of an I-2 polypeptide, and at page 6, line 29, to page 7, line 1, which discloses SEQ ID NO:2 as an I-2 amino acid sequence. New claim 42 also is supported in the specification at page 31, lines 2-4, which teaches that a fragment of an I-2 polypeptide can have at least 5 amino acids.

New dependent claims 44, 47, 50, 52 and 54 to 56 are directed to the isolated nucleic acid molecule of claim 42, which encodes at least 8, 10, 12, 15, 18, 20 or 25 amino acids of SEQ ID NO: 2, respectively. These new claims are supported in the specification as described above for claim 42 and further are supported in the specification at page 31, lines 2-4, described above. New claims 43, 45, 46, 48, 49, 51 and 53 are directed to an isolated nucleic acid molecule encoding 8 to 50, 8 to 20, 10 to 50, 10 to 20, 12 to 20 or 15 to 20 amino acids of SEQ ID NO: 2, respectively. These new claims are supported in the specification as described above for new claim 42 and further are supported in the specification, for example, at page 31, lines 4-11, also described above.

As set forth above, each of the new claims are supported by the specification and does not introduce new matter.

[illegible]

CONCLUSION

Respectfully submitted,

Date: September 27, 2001

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